

UPPER VENTURA RIVER GROUNDWATER AGENCY MINUTES OF REGULAR MEETING MARCH 9, 2023

The Regular Board meeting was held in person at Ventura River Water District Meeting Room, 409 Old Baldwin Road, Ojai, CA 93023. Directors present were Bruce Kuebler, Arne Anselm, Mary Bergen, Jenny Tribo, Mike Etchart, Emily Ayala, and Vivon Crawford. Also present: Executive Director Bryan Bondy, Agency Counsel Keith Lemieux and Administrative Assistant Maureen Tucker. Identified public members present: Jim Kentosh and Alma Quezada.

Directors and Alternate Directors were sworn in prior to the start of meeting: Bruce Kuebler, Mary Bergen, Emily Ayala, Vivon Crawford, Alma Quezada.

1) CALL TO ORDER

Chair Etchart called the meeting to order at 12:38 p.m.

2) PLEDGE OF ALLEGIANCE

Executive Director Bryan Bondy led the Pledge of Allegiance.

3) ROLL CALL

Executive Director Bondy called roll.

Directors Present: Bruce Kuebler, Mary Bergen, Vivon Crawford, Jenny Tribo, Mike Etchart, and Emily Ayala

Directors Absent: Arne Anselm (arrived after Item No. 6).

Executive Director Bondy welcomed the new/returning Directors.

4) APPROVAL OF AGENDA

Chair Etchart asked for any proposed changes to the agenda.

Director Kuebler moved agenda approval. Director Ayala seconded the motion.

Roll Call Vote: B. Kuebler – Y J. Tribo – Y V. Crawford - Y

M. Bergen – Y Etchart - Y Ayala - Y

Director Absent: A. Anselm

5) PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Chair Etchart asked for public comments on items not appearing on the agenda.

None.

6) CONSENT CALENDAR

- a. Approve Minutes from January 12, 2023 Regular Board Meeting
- b. Approve Financial Report for January 2023
- c. Approve Financial Report for February 2023
- d. Approve Fiscal Year 2021/2022 Financial Audit Report

Executive Director Bondy requested to pull item (d) Approve Fiscal Year 2021/2022 Financial Audit Report for discussion.

Director Bergen moved approval of consent items a, b and c. Director Crawford seconded the motion.

Roll Call Vote: B. Kuebler – Y J. Tribo – Y Ayala - Y

 M. Bergen - Y V. Crawford – Y Etchart – Y

Directors Absent: A. Anslem

Executive Director Bondy explained that the auditors have not finalized the audit report and that it must be submitted to the County by April 1.

Director Kuebler moved to authorize the Executive Director to submit the audit report and make the final report available to the Board at its next meeting. Director Ayala seconded the motion.

Roll Call Vote: B. Kuebler – Y J. Tribo – Y Ayala - Y

 M. Bergen - Y V. Crawford – Y Etchart – Y

Directors Absent: A. Anslem

Director Arne Anslem arrived following the vote.

7) DIRECTOR ANNOUNCEMENTS

- a. Directors may provide oral reports on items not appearing on the agenda.

Director Kuebler: Attended the recent OBGMA meeting. General Manager John Mundy is retiring. Casitas Municipal Water District is providing staff in the interim.

Director Crawford: OVLC has applied for funding for the projects in the watershed.

Director Bergen: Lake Casitas level is 53% and rising.

Director Anselm: No report.

Director Tribo: No report.

Director Ayala: No report.

Director Etchart: No report.

Director Kuebler asked Director Anselm about the use of eminent domain to remove Arundo. Agency counsel cautioned the Directors against discussing matters not on the agenda.

Director Absent: None

8) EXECUTIVE DIRECTOR'S REPORT

Executive Director Bondy reported on Agency matters since the last Board meeting.

Director Ayala asked about groundwater levels. Executive Director Bondy said groundwater level data are downloaded twice per year. The next batch of data will be available in June.

Director Crawford mentioned that OVLC has acquired some post-flood drone aerial photography. Executive Director Bondy said he would ask Rincon Consultants, Inc. to contact her.

No public comments.

9) ADMINISTRATIVE ITEMS

a. Small Groundwater Sustainability Agency Coalition Participation

Executive Director Bondy briefed the Board on the Small GSA Coalition's efforts lobbying for financial funding for small GSAs. He described the criteria for inclusion in the coalition and explained how participation may benefit UVRGA financially. The

coalition would like to use name, basic information, and logo when lobbying. He wants to make sure the Board is comfortable with this.

Director Kuebler said he supports participation in the coalition.

Director Crawford asked if other Ventura County agencies are involved. Executive Director Bondy said the Mound Basin GSA will be deciding soon. He mentioned that the Carpinteria and Montecito GSAs are participating.

Director Bergen moved to direct Executive Director Bondy to participate on behalf of UVRGA in the Small Groundwater Sustainability Agency Coalition. Director Anselm seconded the motion.

No public comments.

Roll Call Vote: B. Kuebler – Y A. Anselm - Y J. Tribo - Y
 M. Bergen - Y V. Crawford – Y Etchart – Y Ayala - Y

Directors Absent: None

b. Fiscal Year 2022/2023 Mid-Year Budget Report and Mid-Year Budget Modifications

Executive Director Bondy summarized the Mid-Year Budget Report and recommended budget modifications.

Director Ayala moved to receive and file the Fiscal Year 2022/2023 Mid-Year Budget Report and approve moving \$82,069.36 from capital expenditures and \$9,206.94 from capital expenditures contingency to a capital reserve. Director Anselm seconded the motion.

No public comments.

Roll Call Vote: B. Kuebler – Y A. Anselm - Y J. Tribo - Y
 M. Bergen - Y V. Crawford – Y Etchart – Y Ayala - Y

Directors Absent: None

10) GSP IMPLEMENTATION ITEMS

a. PUBLIC HEARING

Proposed Amendment to Groundwater Well Registration, Metering, and Extraction Reporting Ordinance (Ordinance No. 2)

Executive Director Bondy reviewed the Proposed Amendment to Groundwater Well Registration, Metering, and Extraction Reporting Ordinance (Ordinance No. 2). The Board conducted a public hearing at the January 12, 2023 meeting, and read the Ordinance in title only. A second public hearing and adoption of the ordinance is proposed for today.

Agency Counsel Lemieux stated that UVRGA, as the legal agency under the California Environmental Quality Act (“CEQA”) can determine that the ordinance is exempt from CEQA review.

Chair Etchart opened the public hearing at 1:09 p.m.

Chair Etchart asked for public comments. No comments provided.

Chair Etchart closed the public hearing at 1:10 p.m.

Director Anslem made a clarification regarding the permits issued by the County. The County does not control water out of the well. UVRGA can regulate pumping.

Director Anslem moved to read Ordinance No. 2 in title only. Director Kuebler seconded the motion.

Roll Call Vote: B. Kuebler – Y A. Anselm - Y J. Tribo - Y

 M. Bergen - Y V. Crawford – Y Etchart – Y Ayala - Y

Directors Absent: None

Agency Counsel Keith Lemieux read the ordinance in title only: “Ordinance No. 2: An Ordinance of the Upper Ventura River Groundwater Agency Amending Ordinance No. 1 (Well Registration, Metering, and Reporting Requirements) Section 2.1.1, As It Relates to New Well Registrations.”

Director Kuebler moved adoption of Ordinance No. 2: An Ordinance of the Upper Ventura River Groundwater Agency Amending Ordinance No. 1 (Well Registration, Metering, and Reporting Requirements) Section 2.1.1, As It Relates to New Well Registrations.”

Director Tribo seconded the motion.

Roll Call Vote: B. Kuebler – Y A. Anselm - Y J. Tribo - Y

M. Bergen - Y V. Crawford – Y Etchart – Y Ayala - Y

Directors Absent: None

b. Well Registration Update

Executive Director Bondy provided an update on the well registration progress:

- Registration Not Required: 47 wells (+1 since January)
- Registered: 51 wells (+3 since January)
- Unregistered: 90 wells (-4 since January)

Of the 90 unregistered wells, 52 are listed as active in County records and did not respond to the registration request sent in September. Some people contacted UVRGA to notify us they are no longer the property owner. It appears the contact information is outdated. Executive Director Bondy requested the assessor rolls from the County Assessor’s office in December, but has not had any luck despite numerous follow-ups. He requested Director Anselm’s assistance.

Public Comment: Jim Kentosh asked if *de minimis* pumpers need to register. Executive Director Bondy said that they need to register, but there are no fees or flow meter requirements.

Public Comment: Alma Quezada asked if quarterly reporting is required. Executive Director Bondy said yes. The Member Agencies are already reading their meters and the data is available. This is mostly to get private pumpers to do the same.

Public comments: None

c. Annual Report for Water Year 2021/2022

Executive Director Bondy said UVRGA is required to submit annual reports to the Department of Water Resources by April 1, 2023. The second annual report was prepared by Intera, Inc. in collaboration with Executive Director Bondy. He asked if there were any comments on the annual report.

Director Kuebler requested clarification of the discussion concerning change in storage, groundwater levels, and streamflow on Page 1 of the Executive Summary because some of the discussion seems internally inconsistent. Executive Director Bondy reviewed the text and said he sees the issue and will work with Intera, Inc. to make things clearer.

Director Kuebler asked for an explanation of Figure 3.4. Executive Director Bondy reviewed and explained charts in the figure.

Executive Director Bondy said he can make sure the requested changes to the executive summary are made prior to submitting the report to DWR. Agency Counsel stated that the Board could adopt the report and direct the Executive Director to make the changes prior to submittal.

Director Kuebler moved approval of the Annual Report for Water Year 2021/2022 and direct the Executive Director to revisit the language on page 1 of the executive summary. Director Anselm seconded the motion.

Roll Call Vote: B. Kuebler – Y V. Crawford – Y J. Tribo - Y

 A. Anselm - Y M. Bergen – Y Etchart – Y Ayala - Y

Directors Absent: None

d. GSP Summary Presentation – Part 2 of 2

Executive Director Bondy presented part 2 of the GSP Summary. The presentation slides are attached to these minutes.

11) COMMITTEE REPORTS

a. Ad Hoc Stakeholder Engagement Committee

The committee has not met and does not have a report.

12) FUTURE AGENDA ITEMS

No items were requested by any directors.

Alternate Director Bergen requested future meetings include a Zoom option for the public. She would like to listen remotely when she is not actively serving on the Board.

No public comments.

13) ADJOURNMENT

The next Regular Board meeting is scheduled for April 13, 2023, at 12:30 p.m.

The meeting was adjourned at 2:28 p.m.

Action: _____

Motion: _____

B. Kuebler _ A. Anslem _ V. Crawford _ M. Bergen _ J. Tribo _ M. Etchart _ E. Ayala